

**CERTIFICATE OF MAILING**

2-21-11

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Commissioner for Patents, Washington, D.C. 20231.

Typed or Printed Name      Steven F. Goldstein

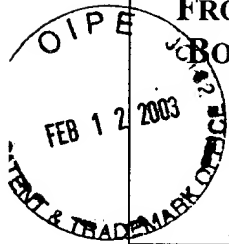
Signature

*Steven F. Goldstein*

Date

February 5, 2003

**NOTICE OF APPEAL  
FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS**



Customer Number      24353

Application Number      09/509,196

Confirmation Number      8868

Filing Date      March 23, 2000

First Named Inventor      DALY, ROGER JOHN

Examiner Name      CHERNYSHEV, OLGA N.

Group Art Unit      1646

Attorney Docket      RICE-012

**RECEIVED**

FEB 19 2003

TECH CENTER 1600/29

Sir:

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner dated, November 5, 2002 finally rejecting claims 1, 5-7 and 19-31.

The fee for this Notice of Appeal is (37 C.F.R. § 1.17(b)):      \$ 320.00

☒ Applicant claims small entity status. See 37 C.F.R. § 1.27.

Therefore, the fee shown above is reduced by ½, and the resulting fee is:      \$

☐ A petition for an extension of time under 37 C.F.R. § 1.136(a) from  
is requested.

The total extension fee is:      \$

Total amount to be charged to Deposit Account 50-0815:      \$ 160.00

The Commissioner is authorized to charge any fees which may be required, or credit any overpayment to Deposit Account 50-0815. If additional fees are required, including extensions of time, please consider this a petition therefore. A duplicate copy of this sheet is enclosed.

I am the:

☐

applicant/inventor

☐

assignee of record of the entire interest.

See 37CFR 3.71. Statement under 37 C.F.R. § 3.73(b) is enclosed.

☒

attorney or agent of record

☐

attorney or agent acting under 37 CFR 1.34(a)

Registration number if acting under 37 C.F.R. § 1.34(a). \_\_\_\_\_

RECEIVED/2003 FEBRUARY 12 09:00 AM 2003 FEB 12 2003  
FEB 12 2003 10:00 AM

Respectfully submitted,  
BOZICEVIC, FIELD & FRANCIS LLP

By:

*Carol L. Francis*  
Carol L. Francis, Reg. No. 36,513

Date: February 5, 2003

BOZICEVIC, FIELD & FRANCIS LLP  
200 Middlefield Road, Suite 200  
Menlo Park, CA 94025  
Telephone: (650) 327-3400  
Facsimile: (650) 327-3231

FEB 12 2003

Please type a plus sign (+) inside this box →

+

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/509,196
Filing Date	March 23, 2000
First Named Inventor	DALY, ROGER JOHN
Group Art Unit	1646
Examiner Name	CHERNYSHEV, OLGA N.
Attorney Docket Number	RICE-012

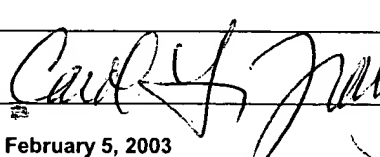
Total Number of Pages in This Submission 4

**ENCLOSURES (check all that apply)**

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Documents<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br><b>Postcard</b> |
|--|---|---|

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual Name	CAROL L. FRANCIS, Reg. No. 36,513
Signature	
Date	February 5, 2003

**CERTIFICATE OF MAILING**

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Typed or printed name	Steven F. Goldstein	Date	February 5, 2003
Signature			

Burden Hour Statement: This form is estimated to take .2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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PTO/SB/17 (10-01)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 160

## Complete if Known

Application Number 09/509,196

Filing Date March 23, 2000

First Named Inventor DALY, ROGER JOHN

Examiner Name CHERNYSHEV, OLGA N.

Group Art Unit 1646

Attorney Docket No. RICE-012

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit overpayments to:
- Deposit Account Number 50-0815
- Deposit Account Name Bozicevic, Field & Francis LLP
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☒ Applicant Claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:☐ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION

## 2. BASIC FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
101	201	Utility filing fee	
106	206	Design filing fee	
107	207	Plant filing fee	
108	208	Reissue filing fee	
114	214	Provisional filing fee	

SUBTOTAL (1) 0

## 1. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
15-20**	= x	=	=
Indep. Claims 2-3**	= x	=	=
Multiple Dependent	=	=	=

Large Entity Fee Code	Small Entity Fee Code	Fee Description
103	203	Claims in excess of 20
102	202	Independent claims in excess of 3
104	204	Multiple dependent claim, if not paid
109	209	** Reissue independent claims over original patent
110	210	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 0

\*\*or number previously paid, if greater; For Reissues, see above.

## FEE CALCULATION (continued)

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
105	205	Surcharge - late filing fee or oath	
127	227	Surcharge - late provisional filing fee or cover sheet	
139	239	Non-English specification	
147	247	For filing a request for <i>ex parte</i> reexamination	
112	212	Requesting publication of SIR prior to Examination action	
113	213	Requesting publication of SIR after Examiner action	
115	215	Extension for reply within first month	
116	216	Extension for reply within second month	
117	217	Extension for reply within third month	
118	218	Extension for reply within fourth month	
128	228	Extension for reply within fifth month	
119	219	Notice of Appeal	160
120	220	Filing a brief in support of an appeal	
121	221	Request for oral hearing	
138	238	Petition to institute a public use proceeding	
140	240	Petition to revive - unavoidable	
141	241	Petition to revive - unintentional	
142	242	Utility issue fee (or reissue)	
143	243	Design issue fee	
144	244	Plant issue fee	
122	222	Petitions to the Commissioner	
123	223	Processing fee under 37 CFR 1.17(q)	
126	226	Submission of Information Disclosure Stmt	
581	581	Recording each patent assignment per property (times number of properties)	
146	246	For each additional invention to be examined (37 CFR § 1.129(a))	
149	249	For each additional invention to be examined (37 CFR § 1.129(b))	
179	279	Request for Continued Examination (RCE)	
169	269	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 160

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)

Carol L. Francis

Registration No.  
(Attorney/Agent)

36,513

Telephone

(650) 327-3400

Signature

Date

02/05/2003

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